

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

The Examiner rejected previously submitted independent claim 38 under 35 U.S.C. 112, second paragraph as being indefinite. Applicant by the instant amendment has amended independent claim 38 as well as the remaining claims so as to overcome the Examiner's rejection and comply with the formal requirements of 35 U.S.C. 112, second paragraph. It is submitted that all of the claims as pending now comply with the formal requirements of 35 U.S.C. 112, second paragraph.

Applicant submits that it is proper for the Examiner to enter the instant amendment at this stage of the prosecution as the instant amendment removes one of the grounds of rejection and simplifies the instant application for purposes of appeal.

With regard to the prior art rejection, Applicant again submits that claim 38 distinguishes in a patentable way over cited U.S. Patent 6,582,149. Claim 38, as previously pointed out, sets forth the following limitation:

"...connecting member in a first position lies inside side contours of the socket profile and in a second connecting position projects beyond said socket profile at least on one side and has an outer contour which engages in a retaining manner in an undercut space (24) provided on the second hollow profile (10)."

Again, as previously stated, the '149 patent fails to teach, disclose, suggest or render obvious the structure of the connecting member and its function as currently claimed. There is absolutely no hint in the '149 document of providing side

contour projection means on the screws which bring them into engagement with an undercut space of a hollow profile.

It is submitted that the instant application is now in condition for allowance and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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